

1 Anna Hsia (SBN 234179)  
2 ZWILLGEN LAW LLP  
3 369 Pine Street, Suite 506  
4 San Francisco, CA 94104  
5 Telephone: (415) 590-2335  
6 Facsimile: (415) 636-5965  
[anna@zwillgen.com](mailto:anna@zwillgen.com)

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8 Attorney for Defendant  
9 **DISCORD INC.**

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

DAVID A. STEBBINS,  
Plaintiff,  
v.  
KARL POLANO, et al.,  
Defendants.

Case No.: 21-cv-04184-JSW

The Honorable Jeffrey S. White

**DECLARATION OF JEFFREY LANDIS IN  
SUPPORT OF OPPOSITION TO MOTION  
FOR TEMPORARY RESTRAINING  
ORDER**

**DECLARATION OF JEFFREY LANDIS**

I, Jeffrey Landis, declare as follows:

1. I am an attorney with the law firm of ZwillGen Law, LLP, counsel for defendant Discord, Inc. (“Defendant”). In such capacity, and except as may be otherwise indicated below, I have personal knowledge of the facts set forth below and, if called as a witness, I could and would competently testify to the matters set forth in this Declaration.

2. On September 3, 2021, I sent an email to Plaintiff David A Stebbins (“Plaintiff”) requesting a telephone conversation so that I could explain the steps that Defendant had already voluntarily taken to accommodate Plaintiff’s concern about preserving evidence.

3. When Plaintiff declined to speak by telephone, I sent a further email explaining what Defendant had already done, and asking Plaintiff to specify what else, if anything, he was seeking by means of his motion for a TRO.

4. In response, Plaintiff raised new concerns, not at issue in the pending motion: the possibility of future acts of infringement, and the need to preserve evidence that does not yet exist (“If he posts infringing material in the future, I need to be able to prove he did it. How exactly do you plan on preserving evidence of future infringements?”).

5. Plaintiff has refused to withdraw the motion for TRO despite Discord's request that he do so.

6. Attached as Exhibit A is a true and correct copy of an email exchange I had with Plaintiff on September 3 and September 4, 2021.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Declaration was executed on September 7, 2021 at Washington, District of Columbia.

Jeff Landis  
Jeffrey Landis